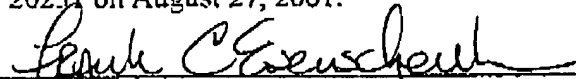


COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on August 27, 2001.


Frank C. Eisenschenk, Ph.D., Patent Attorney

MISSING PARTS
Examining Group 1653
Patent Application
Docket No. GEN-T111XC3D1
Serial No. 09/853,526

RECEIVED
CENTRAL FAX CENTER
FEB 20 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : (Unassigned)
Art Unit : 1653
Applicants : Daniel Cohen, Marta Blumenfeld, Ilya Chumakov, Lydie Bougueleret
Serial No. : 09/853,526
Filed : May 11, 2001
Confirm. No. : 7147
For : Prostate Cancer Gene

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER AND RESPONSE TO
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

The above-referenced patent application was filed with an unsigned Declaration (37 C.F.R. § 1.63) and Power of Attorney form. Transmitted herewith is a fully executed Declaration (37 C.F.R. § 1.63) and Power of Attorney form for the subject application. A Notice to File Missing Parts of Nonprovisional Application was received from the Patent and Trademark Office; and a copy of that Notice is attached hereto.

Applicants are providing, by way of the attached Submission of Sequence Listing and Statement Under 1.821, the electronic and paper versions of the sequence list for the above-referenced application.

SASII-RESPONSENT111XC3D1-Missing-Parts.doc/DNB/jaj

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FEB 20 2004

FACSIMILE COVER SHEET
SALIWANCHIK, LLOYD & SALIWANCHIKA Professional Association
2421 N.W. 41st Street
Suite A-1
Gainesville, FL 32606Telephone (352) 375-8100
Facsimile (352) 372-5800

The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipients named below. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message by mail. Thank you.

TO: Ms. Rosa Thomas

COMPANY: United States Patent & Trademark Office

FAX NO.: (703) 872-9306

FROM: Sherry Loke for Frank C. Eizenschenk, Ph.D.

DATE: February 20, 2004

NO. OF PAGES (INCLUDING COVER SHEET): 8

SUBJECT/MESSAGE:

Re: U.S. Patent Application Docket No. GEN-T111XC3D1
Serial No. 09/853,526; filed May 11, 2001

Dear Ms. Thomas: The above-referenced patent application was filed on May 11, 2001. Applicants submitted a Transmittal Letter dated August 27, 2001 (copy attached) responding to the Notice to File Missing Parts (copy attached) wherein Option III on page 2 was chosen (... "the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers ... will include only those application papers present in the USPTO on the date of deposit", which is May 11, 2001). An updated Filing Receipt was received from the Patent Office showing the incorrect filing date of August 27, 2001 (copy attached). Applicants requested that the filing date be corrected (copy attached) since Applicants accepted the application as deposited with the USPTO on May 11, 2001. Please provide me with a corrected Filing Receipt showing the filing date of May 11, 2001. Thank you for your assistance in this matter. As always, if you have any questions, please do not hesitate to contact me.

If you do not receive all pages or if any transmission is not legible, call the sender at (352)375-8100.

H:\doc\Fax\Thomas-Rosa.doc\DN13/sl

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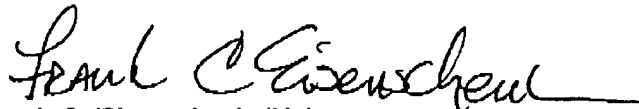
Docket No. GEN-T111XC3D1
Serial No. 09/853,526

Applicants acknowledge the omission of Figures 22-25, and choose option III of the Notice to File Missing Parts, hereby accepting the application as deposited with the USPTO. A Preliminary Amendment directing entry of a substitute specification, accompanied by a marked-up version of the original specification, accompanies this paper.

Subsequent to the filing of this application, but after the three-month time period for requesting a refund, the assignee, Genset S.A., notified undersigned that it had become a small entity. Based on this assertion, Applicants claim small entity status and submit small entity fees herewith.

Please charge the small entity surcharge of \$65.00 to Deposit Account No. 19-0065. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 19-0065. Two copies of this transmittal letter are enclosed.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik
A Professional Association
2421 NW 41st Street, Suite A-1
Gainesville, FL 32606-6669

FCE/jaj

Enclosures: Copy of Executed Declaration and Power of Attorney
Copy of Assignment to Genset
Revocation and New Power of Attorney
Copy of Notice to File Missing Parts
Submission of Sequence Listing and Statement Under 1.821
Paper Copy of Sequence Listing
Statement Under 37 C.F.R. § 1.125(b)
Redlined and Clean Versions of Substitute Specification, pages 1-166 and 175
Extra Copy of this Transmittal Letter
Fee Transmittal Form (in triplicate)
Return Receipt Post Card

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COPY



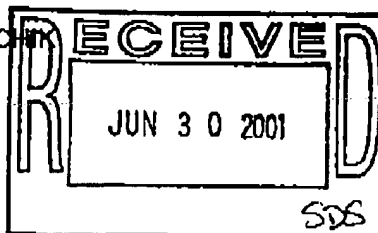
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/853,526 | 05/11/2001 | Daniel Cohen | GEN-T111XC3D1 |

CONFIRMATION NO. 7147

23557

SALIWANCHIK LLOYD & SALIWANCHIK
A PROFESSIONAL ASSOCIATION
2421 N.W. 41ST STREET
SUITE A-1
GAINESVILLE, FL 326066669

FORMALITIES LETTER



DC000000006230905*

Date Mailed: 06/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The following item(s) appear to have been omitted from the application:

- Figure(s) 22, 23, 24 & 25 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

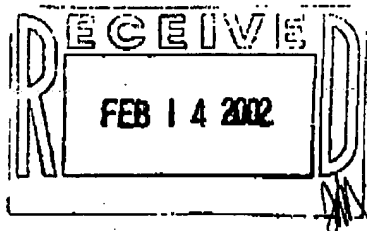
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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

COPY

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO. | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-------------------|----------|------------|------------|
| 09/853,526 | 08/27/2001 | 1653 | 420 | GEN- T111XC3D1 | 26 | 8 | 2 |

CONFIRMATION NO. 7147

Frank C. Eisenchenk, Ph.D.
Saliwanchik, Lloyd & Saliwanchik
Suite A-1
2421 N.W. 41st Street
Gainesville, FL 32606-6669



UPDATED FILING RECEIPT



OC000000007451300

Date Mailed: 02/08/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Daniel Cohen, Neuilly sur Seine, FRANCE;
Marta Blumenfeld, Paris, FRANCE;
Ilya Chumakov, Vaux-le-Penil, FRANCE;
Lydie Bougueleret, Vanves, FRANCE;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 09/338,907 06/23/1999 PAT 6,265,546
WHICH IS A CIP OF 09/218,207 12/22/1998 PAT 6,346,381
WHICH IS A CIP OF 08/996,306 12/22/1997 PAT 5,945,522
AND CLAIMS BENEFIT OF 60/099,658 09/09/1998

Foreign Applications

If Required, Foreign Filing License Granted 06/26/2001

Projected Publication Date: 05/23/2002

Non-Publication Request: No

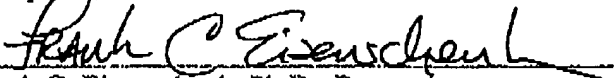
Early Publication Request: No

** SMALL ENTITY **

COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on April 2, 2002.

BOX OIPE
Patent Application
Docket No. GEN-T111XC3D1
Serial No. 09/853,526


Frank C. Eisenschenk, Ph.D., Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : (Unassigned)
Art Unit : 1653
Applicant(s) : Daniel Cohen, Marta Blumenfeld, Ilya Chumakov, Lydie Bougueleret
Serial No. : 09/853,526
Filed : May 11, 2001
Confirm. No. : 7147
For : PROSTATE CANCER GENE

BOX OIPE
Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Applicants respectfully request a corrected Filing Receipt wherein the filing date is corrected to reflect the actual filing date of May 11, 2001, instead of the date of August 27, 2001. As indicated in the Response to File Missing Parts (filed August 27, 2001), Applicants accepted the application as deposited with the USPTO on May 11, 2001.

Also, based on the May 11, 2001 submission of Utility Patent Application Transmittal and accompanying filing papers, the number of independent claims are 5 (not 2).

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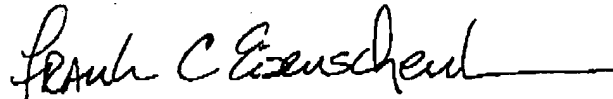
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Docket No. GEN-T111XC3D1
Serial No. 09/853,526

A redlined copy of the February 8, 2002 Updated Filing Receipt, as received from the U.S. Patent and Trademark Office, is enclosed.

If any further information or documentation is required in order to accede to this request for a corrected Filing Receipt, the Office is respectfully requested to contact the undersigned by telephone at (352) 375-8100.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik
A Professional Association
2421 N.W. 41st Street, Suite A-1
Gainesville, FL 32606-6669

FCE/an

Attachment: Redlined copy of February 8, 2002 Filing Receipt

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